

AMENDED
APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office MAY 03 2002

Returned to applicant for correction JUN 12 2002

Corrected application filed AUG 02 2002

Map filed AUG 05 2002 under 68767

The applicant **Marilyn Carey Potter Children's Trust** hereby makes application for permission to change the **point of diversion and place of use of a portion** of water heretofore appropriated under **Permit 37034, Certificate 10573**

1. The source of water is **Underground**
2. The amount of water to be changed **0.5839 c.f.s.**
3. The water to be used for **Irrigation and Domestic**
4. The water heretofore permitted for **Irrigation and Domestic**
5. The water is to be diverted at the following point **NE¼ NW¼ Section 26, T.13N., R.23E., M.D.B.&M. or at a point which bears S. 85 degrees 39' 29" E., 1363.23 feet from the northwest corner of said Section 26.**
6. The existing permitted point of diversion is located within **SE¼ SE¼ Section 24, T.13N., R.23E., M.D.B.&M. or at a point from which the SW Corner of said Section 24 bears S. 89 degrees 05' W., a distance of 3,673.00 feet.**
7. Proposed place of use **The proposed place of use is portions of the following: NW¼ and the N½ SW¼ Section 3, and the NE¼ SE¼ Section 4, T.12N., R.23E., M.D.B.&M.; NE¼ and the E½ NW¼, NE¼ SW¼ and the NW¼ SE¼ and the S½ SW¼ Section 34, T.13N., R.23E., M.D.B.&M.; N½ N½ and the SW¼ NW¼ Section 35, T.13N., R.23E., M.D.B.&M.; All of Section 26, T.13N., R.23E., M.D.B.&M.; SE¼ SW¼, S½ NE¼ and the SE¼ Section 27, T.13N., R.23E., M.D.B.&M.**
8. Existing place of use **36.3 Acres in the NE¼ NE¼ Section 26, T.13N., R.23E., M.D.B.&M. 5.4 Acres in the NW¼ NE¼ Section 26, T.13N., R.23E., M.D.B.&M. 4.9 Acres in the SW¼ NE¼ Section 26, T.13N., R.23E., M.D.B.&M. 33.5 Acres in the SE¼ NE¼ Section 26, T.13N., R.23E., M.D.B.&M. 80.1 Acres Total**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **Drilled well, pump and distribution system**
12. Estimated cost of works **\$25,000**
13. Estimated time required to construct works **3 Years**
14. Estimated time required to complete the application of water to beneficial use **5 years**

15. Remarks: Use map filed in support of Proof of Beneficial Use for Permit No. 37034 for existing place of use.

By James P. Haddan, SWRS #575, Agent
s/ James P. Haddan
206 South Minnesota Street
Carson City, Nevada 89703

Compared cac/cmf lb/sam

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 37034, Certificate 10573 is issued subject to the terms and conditions imposed in said Permit 37034, Certificate 10573 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 68767, 68768, 68769, 68770, 68771, 68772, 68773, 68774, 68775, 68776, 68777, 68778, 68779, and 68780 shall not exceed 3684.91 acre-feet annually for irrigation of 880.17 acres within the described place of use.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.5839 cubic feet per second, but not to exceed 320.4 acre-feet annually, and not to exceed an annual duty of 4.86 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

April 4, 2006

Proof of completion of work shall be filed on or before:

May 4, 2006

Water must be placed to beneficial use on or before:

April 4, 2008

Proof of the application of water to beneficial use shall be filed on or before:

May 4, 2008

Map in support of proof of beneficial use shall be filed on or before:

May 4, 2008

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 4th day of April, A.D. 2003


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____